

REMARKS

Claim 1, the only claim filed with the application, stands rejected under Section 102 as anticipated by FR 2677398 A3 (the “French ‘398 patent”) and under Section 103 as unpatentable over Whiting, U.S. Patent No. 3,178,762 (“Whiting”) in view of the French ‘398 patent. Reconsideration of the rejections of claim 1 is respectfully requested in view of the remarks below. By this amendment, new claims 2-20 have been added to better claim applicant’s invention. Applicant respectfully submits that claim 1 and new claims 2-20 are patentable over the French ‘398 patent and Whiting.

Whiting does not disclose using a magnet for attaching the hinge stop disclosed therein. Rather, Whiting employs a “mounting screw 36 having a case hardened point 38 for biting engagement into the subjacent sleeve portion so as to fixedly position the stop 10.” *See* col. 2, lines 16-20.

The French ‘398 patent discloses a wedge for holding a door panel open at 90 degrees and comprises a hook 2 at its upper end, which engages behind the body of one of the door hinges to suspend the wedge in position. “Alternatively the wedge may include a permanent magnet housed within one of its sides, for attachment against a hinge or other metal component of the door.” The French ‘398 patent does not disclose precisely where or how a permanent magnet might be housed. However, the Basic Abstract and FIG. 4 of the French patent indicate that it would be mounted within wedge 1. The French ‘398 patent differs substantially from the applicant’s present invention in at least the following respect: the doorstop of applicant’s invention is designed to mount via a magnet on the knuckle (*i.e.*, round barrel) of the hinge. Thus, claim 1 recites “said magnet being adapted to be placed on a knuckle of a door hinge” and claim 2 recites

“said doorstop being adapted to be placed on a knuckle of a door hinge.” The French ‘398 patent, on the other hand, does not teach mounting a magnet in hook 2 (*see* FIG. 4) for attachment to the knuckle or sleeve portion of a hinge, but rather in the wedge 1 “for attachment against a hinge or other metal component of the door.” For at least the foregoing reasons, the French ‘398 patent does not teach or suggest applicant’s doorstop invention as claimed.

Enclosed herewith is a replacement claim 1 and new claims 2-20 on a separate sheet.

It is believed that no additional fees are due with this amendment (because as amended the application includes 20 claims in total and only three independent claims).

Accordingly, all of the pending claims 1-20 are believed to be patentable over the prior art and in condition for allowance. Applicant respectfully requests reconsideration of the application and timely issuance of a Notice of Allowance.

Respectfully submitted,

Dated: April 25, 2005
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